

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

MARVIN L. WHISBY and COMEIKO R.)
WHISBY,)
Plaintiffs,)
v.) CIVIL ACTION NO. 5:12-CV-55 (MTT)
BANK OF AMERICA, NA, PROMMIS)
SOLUTIONS, LLC, and JOHNSON &)
FREEDMAN, LLC,)
Defendants.)

ORDER

Once more before the Court is the Plaintiffs' Notice of Voluntary Dismissal (Doc. 26). Previously, the Court in response to this Notice dismissed all claims in this case against all defendants except for Defendant Bank of America. (Doc. 28). The Court had preserved the claims against Bank of America while the Plaintiffs appealed (Doc. 19) the Court's prior Order (Doc. 18) granting Bank of America's Motion to Dismiss. The Eleventh Circuit dismissed the Plaintiffs' appeal on November 28, 2012, for lack of jurisdiction because the order appealed from did not dispose of all claims against all parties. (Doc. 29). Now that the Eleventh Circuit has rejected the Plaintiffs' appeal, this Court recognizes the dismissal of any remaining claims against Bank of America. Accordingly, the Clerk of the Court is directed to close this case.

SO ORDERED, this 3rd day of December, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT